



Client ID/Matter No. ACS 59046 (1873P)

Page 1 of 3

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

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As the below named inventors, we hereby declare that:

Our residences, mailing addresses, and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MECHANICAL ATTACHMENT METHOD OF COVERED MATERIALS ON STENTS, the specification of which (check one)

is attached hereto
 was filed on May 31, 2000 and assigned
Application Serial No. 09/583,263 and was amended on August 21, 2002 and February 4, 2003

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Foreign Filing Date</u> <u>MM/DD/YYYY</u>	Priority Claimed <u>Yes</u> <u>No</u>
NONE			

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

<u>Provisional Appln. Serial No(s).</u>	<u>Filing Date</u> <u>MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; GUNTHER O. HANKE, Registration No. 32,989; RICHARD C. SALFELDER, Registration No. 51,127; LISA A. KARCZEWSKI, Registration No. 53,096; and DAVID G. MAJDALI, Registration No. 53,257.

Direct all telephone calls to Richard C. Salfelder, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Full name of first and joint inventor: CHICHENG WANG

Inventor's signature: Unavailable

Date: _____

Residence: Unavailable

Citizenship: Peoples Republic of China

Mailing Address: Unavailable

Full name of second and joint inventor: JACQUELINE GHIO

Inventor's signature: Jacqueline Ghio

Date: 9/16/03

Residence: San Carlos, California

Citizenship: United States of America

Mailing Address: 23 Ensenada Road
San Carlos, California 94070

ASSIGNMENT

This Assignment made by Jacqueline Ghio of 23 Ensenada Road, San Carlos, California 94070, Assignor, to Advanced Cardiovascular Systems, Inc., a California corporation, Assignee, having a place of business at 3200 Lakeside Drive, P.O. Box 58167, Santa Clara, California 95052-8167.

WHEREAS, Assignor has invented a new and useful **MECHANICAL ATTACHMENT METHOD OF COVERED MATERIALS ON STENTS** for which an application for United States Letters Patent was filed on May 31, 2000, and assigned application Serial No. 09/583,263; and

WHEREAS, Assignor believes himself to be an original, first and joint inventor of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignor agrees that, upon request and without further compensation, but at no expense to Assignor, he and his legal representative(s) and assigns will do all lawful acts,

COPY

Serial No. 09/583,263
Client ID/Matter No. ACS 59046 (1873P)

including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

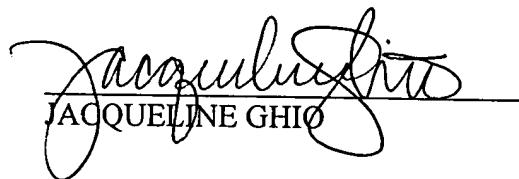
Assignor represents and warrants that he has not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignor authorizes and requests the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignor has executed this Assignment on the date written herein below.

Assignor:

Date: 9/14/03
20410.1



JACQUELINE GHIO



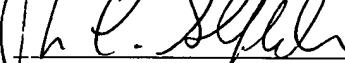
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COMMISSIONER FOR PATENTS, P.O. Box 1450,
Alexandria, VA 22313-1450 on September 23, 2003.


Richard C. Salfelder, Reg. No. 51,127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: Chicheng Wang.

Serial No. 09/583,263

Filed: May 31, 2000

Title: MECHANICAL ATTACHMENT
METHOD OF COVERED MATERIALS
ON STENT

Examiner: Julian W. Woo

Group Art Unit: 3731

Docket No. ACS-59046 (1873P)

Los Angeles, California

PETITION TO CORRECT INVENTORSHIP
IN A PATENT APPLICATION PURSUANT TO 37 CFR § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §1.48(a), Applicant petitions to amend the above noted application to correct the inventorship in the originally filed Declarations and Powers of Attorney by adding the following previously unnamed person as an inventor to this application: JACQUELINE GHIO. This petition is filed concurrently with a Petition for Suspension of Rules pursuant to 37 CFR § 1.183, for which the appropriate fee is enclosed herewith.

09/30/2003 AWONDAF1 00000012 09583263

02 FC:1460

130.00 OP

Adjustment date: 10/29/2003 Atty/LEWY, Alan
09/30/2003 AWONDAF1 00000012 09583263 -130.00 OP
01 FC:1460 Repn. Ref: 10/29/2003 AWELLEY, Daniel 014274700
DAM:0562425 Name/Number:09583263 \$130.00 CR
FC: 9204

Attached is the statement by JACQUELINE GHIO that the error in inventorship occurred without deceptive intention on her part, the fee set forth in 37 CFR 1.17(i), the written consent of assignee ADVANCED CARDIOVASCULAR SYSTEMS, INC., and a Declaration and Power of Attorney signed by JACQUELINE GHIO. Joint inventor Chicheng Wang is unavailable to sign a Declaration and Power of Attorney.

A check covering the fee for the petition under 37 CFR 1.17(i) in the amount of \$130.00 is also enclosed. The Commissioner is authorized to charge any additional fees and credit any overpayment to Deposit Account No. 06-2425. A duplicate of this paper is attached for bookkeeping purposes.

An early favorable decision in this matter is respectfully requested.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:


Richard C. Salfelder
Registration No. 51,127

Enclosures.: Statement by JACQUELINE GHIO
Written Assent by Assignee
Copy of Declaration and Power of Attorney
Copy of Assignment by JACQUELINE GHIO
Check covering the \$130.00 petition fee
Return postcard

Attorneys of Record:

FULWIDER PATTON LEE & UTECHT, LLP

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
RCS:gbr
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R.C. Salfelder
Richard C. Salfelder, Reg. No. 51,127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventors: Chicheng Wang et al.

Serial No. 09/583,263

Filed: May 31, 2000

For: **MECHANICAL ATTACHMENT
METHOD OF COVERED MATERIALS
ON STENTS**

Examiner: Julian W. Woo

Group Art Unit: 3731

Client ID/Matter No. ACS-59046 (1873P)

STATEMENT BY JACQUELINE GHIO
PURSUANT TO 37 CFR 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The inventorship error of failing to include Jacqueline Ghio as inventor of the above-referenced application occurred without any deceptive intention on my part.

Signature: Jacqueline Ghio

Name: Jacqueline Ghio

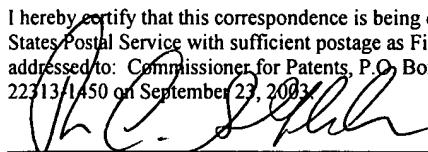
Date: 9/16/03

Attorney of Record:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
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Customer No. 24201
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Richard C. Salfelder, Reg. No. 51,127



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventors: Chicheng Wang et al.

Serial No. 09/583,263

Filed: May 31, 2000

For: **MECHANICAL ATTACHMENT
METHOD OF COVERED MATERIALS
ON STENTS**

Examiner: Julian W. Woo

Group Art Unit: 3731

Client ID/Matter No. ACS-59046 (1873P)

ASSENT BY ASSIGNEE TO THE ADDITION OF JACQUELINE GHIO
AS INVENTOR PURSUANT TO 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ADVANCED CARDIOVASCULAR SYSTEMS, INC. states that it is the Assignee of the entire right, title and interest in the patent application identified above. The Assignment was recorded in the Patent and Trademark Office at Reel 010842, Frame 0015 on May 31, 2000. An Assignment executed by the added inventor is concurrently filed herewith.

Assignee hereby assents to the addition of Jacqueline Ghio as a joint inventor of the above-referenced application.

The undersigned, whose title is indicated below, is empowered to sign this statement on behalf of the Assignee.

Date: AUG - 5 2003

Signature: TRP TNM

Name: Thomas R. Peterson
Title: Vice President and General Counsel
For: Advanced Cardiovascular Systems, Inc.
A California corporation
3200 Lakeside Drive
P.O. Box 58167
Santa Clara, California 95052-8167

Attorney of Record:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
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Customer No. 24201

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-2-

Serial No. 091583,263
Client ID/Matter No. ACS-S9046 (1873P)

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Howard N. Sommers

Ellsworth R. Roston

Leonard D. Messinger

Robert W. Fulwider
(1903-1979)

Warren L. Patton
(1912-1985)

John M. Lee
(1921-1978)

Direct dial: (310) 242-2725
E-mail: rsalfelder@fulpat.com

July 10, 2003

Mr. Chicheng Wang
40 Technology Drive
Warren, New Jersey 07059

VIA U.S. MAIL
RETURN RECEIPT REQUESTED

Re: Application for U.S. Letters Patent

Serial No. 09/583,263

Title: MECHANICAL ATTACHMENT METHOD OF COVERED MATERIALS ON STENTS

Filed: May 31, 2000

Our Docket No. ACS 59046

Dear Mr. Wang:

I need to speak with you regarding the above-mentioned patent application. Please contact me at your earliest convenience at the above direct dial phone number, e-mail or address.

Sincerely,

Richard C. Salfelder
For FULWIDER PATTON LEE & UTECHT, LLP

RCS:rms

18780.1

Of Counsel

Francis A. Utecht

Howard N. Sommers

Ellsworth R. Roston

Leonard D. Messinger

Robert W. Fulwider
(1903-1979)

Warren L. Patton
(1912-1985)

John M. Lee
(1921-1978)

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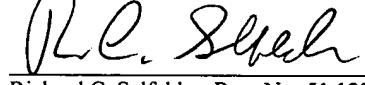
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Richard C. Salfelder, Reg. No. 51,127

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Examiner: Julian W. Woo

Inventor(s): Chicheng Wang

Group Art Unit: 3731

Serial No. 09/583,263

Client ID/Matter No. ACS-59046 (1873P)

Filed: May 31, 2000

Los Angeles, California

For: MECHANICAL ATTACHMENT
METHOD OF COVERED MATERIALS
ON STENTS

DECLARATION OF RITA M. SOTO UNDER 37 C.F.R. § 1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, RITA M. SOTO, declare as follows:

1. I am a secretary with the law firm of Fulwider Patton Lee & Utecht, LLP.

2. I sent letters addressed to Mr. Chicheng Wang on July 10, 2003 at the following addresses:

655 South Fairoaks Avenue, Apt. H101, Sunnyvale, CA 94086
3400 Avenue of the Arts A, Costa Mesa, CA 92626
200 Cedar Lane, Apt. D, Highland Park, NJ 08904
40 Technology Drive, Warren, NJ 07059

3. Each letter was sent to Mr. Wang Return Receipt Requested.
4. Each letter sent to Mr. Wang indicated that Richard C. Salfelder needed to speak with Mr. Wang regarding application for U.S. Letters Patent Serial no. 09/583,263 and requested that Mr. Wang contact Mr. Salfelder via his direct dial phone number, e-mail or address.

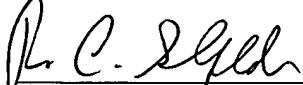
I declare under penalty of perjury that the foregoing is true and correct.



RITA M. SOTO

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Richard C. Salfelder, Reg. No. 51,127



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Examiner: Julian W. Woo

Inventor(s): Chicheng Wang

Group Art Unit: 3731

Serial No. 09/583,263

Client ID/Matter No. ACS-59046 (1873P)

Filed: May 31, 2000

Los Angeles, California

For: MECHANICAL ATTACHMENT
METHOD OF COVERED MATERIALS
ON STENTS

DECLARATION OF RICHARD C. SALFELDER UNDER 37 C.F.R. § 1.183

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, RICHARD C. SALFELDER, declare as follows:

1. I am an attorney with the law firm of Fulwider Patton Lee & Utecht, LLP.

2. On June 27, 2003, I was informed by Advanced Cardiovascular Systems, Inc. ("ACS"), the Assignee of the abovementioned patent application, that Mr. Chicheng Wang, the sole named inventor on the original patent application, was no longer employed there and was given a forwarding phone number.

3. On June 27, 2003 I called the phone number give to me by ACS and left my phone number and a message indicating that I was attempting locate Mr. Chicheng Wang regarding a patent application on which he was a named inventor.

4. On July 1, 2003 I again called the phone number given to me by ACS and was told by the person who answered that I had dialed the correct number but that they knew of no Chicheng Wang.

5. I performed an internet search on July 8 and 9, 2003 in an attempt to locate Mr. Wang and obtained four addresses.

6. On July 10, 2003 I sent letters to Mr. Wang requesting that he contact me regarding a patent application on which he was a named inventor, the letters sent Return Receipt Requested to the following four addresses obtained from my internet search:

655 South Fairoaks Avenue, Apt. H101, Sunnyvale, CA 94086
3400 Avenue of the Arts A, Costa Mesa, CA 92626
200 Cedar Lane, Apt. D, Highland Park, NJ 08904
40 Technology Drive, Warren, NJ 07059

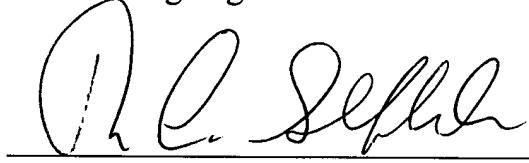
7. The letter sent to 655 Fairoaks Avenue, Apt. H101, Sunnyvale, CA 94086 returned by the United States Post Office indicating "Unclaimed."

8. The letter sent to 3400 Avenue of the Arts A, Costa Mesa, CA 92626 was returned by the United States Post Office indicating "Insufficient Address."

9. The letter sent to 200 Cedar Lane, Apt. D, Highland Park, NJ 08904 was accepted by Jingping Liu on July 25, 2003, but to date I have received no response from Mr. Wang regarding the letter.

10. On July 16, 2003 I received a phone call from Cordis Corp. informing me that they had received the letter sent to 40 Technology Drive, Warren, NJ 07059 and that Mr. Wang was an ex-employee, having left approximately eight months ago. I was told that Cordis Corp. would not release personal information regarding an ex-employee but that they would attempt to contact Mr. Wang and the last known address on file and request that Mr. Wang contact me regarding a patent application on which he was a named inventor. To date, I have received no response from Mr. Wang.

I declare under penalty of perjury that the foregoing is true and correct.



RICHARD C. SALFELDER

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